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10 *Attorney for Plaintiff*
11 *Champery Rental REO, LLC*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 CHAMPERY RENTAL REO, LLC, a limited
15 liability company,

16 Plaintiff,

17 vs.

18 RUBY F. PINEDA; an individual; LILIBETH F.
19 LACUESTA, an individual; HSBC BANK USA
20 N.A., AS TRUSTEE ON BEHALF OF ACE
21 SECURITIES CORP. HOME EQUITY LOAN
22 TRUST AND FOR THE REGISTERED
23 HOLDERS OF ACE SECURITIES CORP.
24 HOME EQUITY LOAN TRUST SERIES 2006-
25 HE2, ASSET BACKED PASS THROUGH
CERTIFICATES; All other persons unknown
claiming any right, title, estate, lien or interest in
the real property described in the Complaint
adverse to Plaintiff's ownership, or any cloud
upon Plaintiff's title thereto; DOES I through V;
and ROE Corporations I through V,

26 Defendants.

27 Case No.: 2:17-cv-01833-RFB-NJK

28 **STIPULATED JUDGMENT QUIETING
TITLE IN FAVOR OF CHAMPERY
RENTAL REO, LLC, AS SUCCESSOR-
IN-INTEREST TO HOLLYVALE
RENTAL HOLDINGS, LLC, AND
DISMISSING ACTION**

1 Plaintiff Champery Rental REO, LLC (“Champery”) by and through its counsel of
2 record, Hutchison & Steffen; and HSBC Bank USA, National Association, as Trustee for Ace
3 Securities Corp. Home Equity Loan Trust and the Registered Holders of Ace Securities Corp.
4 Home Equity Loan Trust Series 2006-HE2, Asset Backed Pass Through Certificates (“HSBC”),
5 by and through its counsel of record, Wright, Finlay & Zak, LLP hereby stipulate and agree as
6 follows:

7 1. On November 29, 2004 Ruby F. Pineda and Lilibeth F. Lacuesta (“Pineda and
8 Lacuesta”) caused to be recorded with the Clark County Recorder a Grant, Bargain and Sale
9 Deed to document a purchase of real property commonly known as 11596 Stivali Street, Las
10 Vegas, Nevada 89189 (APN: 191-04-211-063) and more particularly described as:

11 LOT FOUR HUNDERED FIFTY-ONE (451) TERRACINA
12 PHASE 5 AS SHOWN BY MAP THEREOF ON FILE II BOOK
13 108, OF PLATS, PAGE 89, IN THE OFFICE OF THE COUNTY
RECODER OF CLARK COUNTY, NEVADA

14 2. The Property was purchased by Pineda and Lacuesta and financed with a note
15 secured by a Deed of Trust. The lender under the Deed of Trust was Argent Mortgage Company,
16 LLC (“AMC”) which was the designated beneficiary under the Deed of Trust as nominee for the
17 lender and its successors and assigns. The Deed of Trust was recorded on December 20, 2005 in
18 the Office of the Clark County Recorder as Instrument No. 20051220-0004287.

19 3. On October 20, 2014, AMC assigned its beneficial interest in the Deed of Trust to
20 HSBC Bank USA, National Association, as Trustee for Ace Securities Corp. Home Equity Loan
21 Trust and the Registered Holders of Ace Securities Corp. Home Equity Loan Trust Series 2006-
22 HE2, Asset Backed Pass Through Certificates. A Corporation Assignment of Deed of Trust
23 Nevada reflecting this assignment was recorded on November 3, 2014 in the Office of the Clark
24 County Recorder as Instrument No. 20141103-0000247.

25 4. The Property is part of the Tierra Linda Landscape Maintenance Association, Inc.
26 (“Tierra Linda”) and subject to a monthly homeowners’ association assessment.

27 5. On November 24, 2009, Tierra Linda, through its agent Red Rock Financial
28 Services, a division of RMI Management, LLC, (“RRFS”) recorded a notice of delinquent

1 assessment lien (“the Lien”) in the Office of the Clark County Recorder as Instrument No.
2 200911240001869.

3 6. On January 21, 2010, Tierra Linda, through its agent RRFS, recorded a Notice of
4 Default and Election to Sell Under Homeowners Association Lien in the Office of the Clark
5 County Recorder as Instrument No. 201001210001945.

6 8. On May 28, 2015, Tierra Linda, through its agent RRFS, recorded a notice of
7 foreclosure sale in the Office of the Clark County Recorder as Instrument No. 20150528-0003035.

8 9. On April 27, 2016, Tierra Linda, through its agent RRFS, sold the Property at a
9 foreclosure sale under NRS Chapter 116, at which Hollyvale Rental Holdings, LLC (“Hollyvale”)
10 paid \$143,000 as the winning bidder.

11 10. On July 1, 2016, a Foreclosure Deed was recorded in the Office of the Clark County
12 Recorder as Instrument No. 20160701-0000740, conveying title to Hollyvale.

13 11. On January 30, 2017, Hollyvale transferred any and all of its interest in the Property
14 to its successor-in-interest, Champery by way of a quitclaim deed recorded in the Office of the
15 Clark County Recorder on February 27, 2017, Instrument No. 20170227-0000734.

16 12. Defaults and default judgments against Pineda and Lacuesta, quieting title in favor
17 of Champery are pending with the Court.

18 13. The parties have now settled this matter and hereby stipulate that title to the
19 Property is hereby fully quieted in favor of Champery Rental REO, LLC, as successor-in-interest
20 to Hollyvale Rental Holdings, LLC, and that HSBC and Tierra Linda have no right, title or interest
21 in the Property.

22 14. The parties further agree that each party shall be responsible for its own respective
23 attorneys’ fees and costs.

1 15. As title is hereby fully quieted in favor of Champery all remaining claims,
2 counterclaims, and cross-claims against the respective parties are hereby dismissed with prejudice.
3

4 16. The Notice of Lis Pendens filed and recorded in this matter is hereby expunged and
5 otherwise removed from title to the Property.
6

7 Dated this 6th day of November, 2018.

8 Dated this 6th day of November, 2018.

9 HUTCHISON & STEFFEN, PLLC

10 WRIGHT FINLAY & ZAK

11 /s/ Matthew K. Schriever

12 /s/ Edgar C. Smith

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20 *Attorneys for HSBC Bank USA*

21 *Attorneys for Champery Rental REO, LLC*

22 IT IS SO ORDERED.

23 DATED this 9th day of November, 2018.



24 RICHARD F. BOULWARE, II
25 United States District Judge

26 Submitted by:

27 /s/ Matthew K. Schriever

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